

## **REMARKS**

Claims 1, 6, 11, 12 and 21 have been amended. Claims 1 - 27 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

### **Claim Objections:**

The Examiner objected to claim 6 as being of improper dependent form. Claim 6 has been amended to overcome this objection.

### **Section 112, Second Paragraph, Rejection:**

The Examiner rejected claims 1-27 under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants traverse this rejection for at least the following reasons.

Regarding claims 1, 4, 11 and 21, the Examiner asserts that these claims “recite the limitation ‘line group data structure’” and that it “is unclear to the Examiner what this limitation means or how it differs from any other data structure.” However, claim 1 recites storing results of grouping line items into purchase orders where all items of a given purchase order have matching criteria. Applicants assert the language of claim 1 is such that a person of ordinary skill in the art could easily interpret the metes and bounds. Therefore, the §112, second paragraph, rejection is not appropriate. However, to further examination of the instant application, claims 1, 11 and 21 has been amended to better recite the claimed subject matter.

Regarding claims 2 and 12, the Examiner asserts that these claims “recite the limitation ‘order header data structure’” and that is “is unclear to the Examiner what this limitation means or how it differs from any other data structure.” Applicants respectfully disagree with the Examiner and assert that claims 2 and 12 are not indefinite and that one skilled in the art would have no trouble ascertaining the metes and bounds of the claimed

subject matter. Furthermore, claims 2 and 12 recite an “order header data structure which provides a mapping between said requisition and said line group data structure.” Thus, the claims provide a clear definition of the “order header data structure”. Claims 2 and 12 are clearly not indefinite and removal of the §112, second paragraph rejection is respectfully requested.

Regarding claims 4, 14 and 22, the Examiner asserts that these claims “recite the limitation ‘host purchase order’ and that it “is unclear to the Examiner what this limitation means or how it differs from a purchase order.” Applicants respectfully disagree and assert that claims 4, 14 and 22 are not indefinite. Claims 4, 14 and 22 recite “a host purchase order item which includes all of said line items of said requisition.” Thus, the claims themselves recite language that further defines a “host purchase order item”.

Regarding claim 6, the Examiner asserts that claim 6, “fails to recite which previously recited claim it is dependent upon” and that “the scope of the claim is unclear to the Examiner.” As noted above, claim 6 has been amended to correct the dependency issue. Applicants respectfully request removal of the §112, second paragraph, rejection of claim 6.

### **Section 102(b) Rejection:**

The Examiner rejected claims 1, 2, 5, 7, 10-12, 15, 17, 20, 21, 23, 24 and 27 under 35 U.S.C. § 102(b) as being anticipated by Shoquist et al. (U.S. Patent 5,361,199) (hereinafter “Shoquist”). Applicants traverse this rejection for at least the following reasons.

**Regarding claim 1, Shoquist fails to disclose accessing a user modifiable configuration file comprising a selected list of criteria on which line items are to be sorted into purchase orders.** The Examiner cites FIG. 5 and column 5, lines 56-62, referring to Shoquist’s “RP Worklist Sort Options” window. Shoquist teaches an

automated procurement system in which a buyer workstation is in communication with a mainframe database that stores global data relevant to procurement documents and reports.

At the Examiner's cited passage, Shoquist describes "work lists" and a "work list sort menu". Shoquist teaches that his work lists are list of purchase orders and request for purchases. For example, Shoquist states, "various work lists may be obtained, including those listing RP's and PO's, as well as other documents" (Shoquist, column 5, lines 31-33). Shoquist further states, "a RP work list contains all RP's assigned to a workstation" and "[o]ther work lists may list other procurement document, such as PO's and requests for return, for which processing is to be done" (Shoquist, column 5, lines 45-50).

Contrary to the Examiner's contention, Shoquist's RP Worklist Sort Options window does not disclose a selected list of criteria *on which line items are to be sorted into purchase orders*. Instead, Shoquist teaches that the sort menu "permits work lists to be sorted by various data fields." As noted above, Shoquist's work lists include lists of documents, such as purchase orders, request for purchase, request for return, etc. Thus, Shoquist's Worklist Sort Options window and the sort menu provide selection criteria for sorting the documents assigned to a workstation for processing. Selecting criteria in the RP Worklist Sort Options window will sort the list of documents (specifically RP documents in Shoquist's FIG. 5). In other words, Shoquist's RP Worklist Sort Options window may sort purchase order documents, but does not disclose a list of criteria on which line items are sorted into purchase orders.

In fact, the RP Worklist Sort Options window and the sort menu have nothing to do with accessing a user modifiable configuration file comprising a selected list of criteria on which line items are to be sorted into purchase orders.

**Additionally, Shoquist fails to disclose modifying the selected list of criteria in response to user input, contrary to the Examiner's assertion.** The Examiner refers

to Shoquist's RP Worklist Sort Options window. However, nowhere does Shoquist describe modifying the selection criteria list in the RP Worklist Sort Options window in response to user input. Instead, Shoquist states that the RP Worklist Sort Options window "may also be used to change the worklist data fields displayed in worklist 41" (Shoquist, column 5, lines 60-61). Thus, Shoquist teaches using the selection criteria in the RP Worklist Sort Options to change which fields are displayed for each document (e.g. RP, PO, request for return, etc) listed in worklist 41. Moreover, modifying the data fields displayed in a list of documents does not disclose anything regarding modifying a selected list of criteria in response to user input.

**Shoquist also fails to disclose automatically grouping the line items of the list into purchase orders wherein all items of a given purchase order have matching criteria data with respect to any criteria of the modified list of criteria.** The Examiner cites FIG. 13 and column 7, lines 19-23 of Shoquist. However, the cited passage does not describe anything regarding automatically grouping line items into purchase orders. Instead, Shoquist teaches, at the cited passage, that FIG. 13 illustrates a P.O. work list specification window that "permits the buyer to create a PO work list *that includes only PO's that meet selected criteria*" (italics added). Thus, Shoquist's system involves using selected criteria to create a list of purchase orders. The cited passage does not disclose anything regarding automatically grouping line items into purchase orders and nowhere does Shoquist describe automatically grouping line items into purchase orders *where all items of a given purchase order have matching criteria data*.

Applicants remind the Examiner that anticipation requires the presence in a single prior art reference disclosure of each and every limitation of the claimed invention, arranged as in the claim. M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed above, Shoquist fails to disclose accessing a user modifiable configuration file comprising a selected list of criteria **on which line items are to be sorted into purchase orders**. Shoquist also fails

to disclose **modifying the selected list of criteria in response to user input and automatically grouping the line items of the list into purchase orders wherein all items of a given purchase order have matching criteria data with respect to any criteria of the modified list of criteria.** Therefore, Shoquist cannot be said to anticipate claim 1.

For at least the reasons above, the rejection of claim 1 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks also apply to claims 11 and 21.

### **Section 103(a) Rejections:**

The Examiner rejected claims 3, 4, 13, 14 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Shoquist, claims 6 and 16 as being unpatentable over Shoquist in view of Johnson et al. (U.S. Patent 6,023,683) (hereinafter “Johnson”), and claims 9, 19 and 26 as being unpatentable over Shoquist in view of Official Notice. Applicants respectfully traverse these rejections for at least the reasons provided above regarding their respective, independent claims.

In further regard to claims 9, 19 and 26, the Examiner takes Official Notice that “it is old and well known in the art to send a supplier a purchase order in an outbound route via an Internet network.” Pursuant to M.P.E.P. § 2144.03, Applicant traverses the Examiner’s taking of official notice. Although sending a purchase order in an outbound route to a supplier via an Internet network may be known in other contexts, the Examiner has not provided any such evidence of record. Moreover, Applicant asserts that it was not well known in the prior art to send a purchase order in an outbound route to a supplier via an Internet network in the context of a computer implemented procurement system in which separate purchase orders are generated according to line group data structure storing grouped line items where all items of a given purchase order have matching criteria data with respect to any criteria of a modified list of criteria, as recited in

Applicants' claims. Pursuant to M.P.E.P. § 2144.03 Applicant asserts that "the examiner must provide documentary evidence in the next Office action if the rejection is to be maintained. See also 37 CFR 1.104(c)(2), (d)(2) and *In re Zurko*, 258 F.3d 1379, 1386 (Fed. Cir. 2001).

Regarding all the §102 and §103 rejections above, Applicant also asserts that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

**Claims Objected To But Otherwise Allowable:**

Claims 8, 18 and 25 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph. In light of the above remarks, Applicant asserts that these claims are in condition for allowance in their present form.

## CONCLUSION

Applicants submit the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicant hereby petitions for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-90900/RCK.

Also enclosed herewith are the following items:

- ☐ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Notice of Change of Address
- ☐ Other:

Respectfully submitted,

/Robert C. Kowert/

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